

AO 91 (Rev. 11/11) Criminal Complaint

United States District Court

~~Southern District Of Texas~~

FILED

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

SEP 16 2020

David J. Bradley, Clerk

United States of America

v.

Luis Eduardo Mendoza-Perez
(YOB 2000 / US Citizen)

Case No.

M-20-1853-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 15, 2020 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

18 United States Code § 554

Offense Description

Did knowingly and willfully conspired to export or send from the United States, any merchandise, article, or object, to wit: 200 AR-15 style magazines contrary to any law or regulation of the United States, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of such merchandise, article or object, prior to exportation, knowing the same to be intended for exportation contrary to any law or regulation of the United States.

This criminal complaint is based on these facts:

See Attachment "A"

Submitted by reliable electronic means, sworn to and attested to telephonically per Fed. R. Cr. P. 4.1, and probable cause found on:

☒ Continued on the attached sheet.

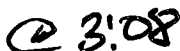
Approved by AUSA Robert Guerra

/s/ Lori Pendergrass

Complainant's signature

Lori Pendergrass, HSI Special Agent

Printed name and title

Date: 09/16/2020City and state: McAllen, Texas

Judge's signature

U.S. Magistrate Judge J. Scott Hacker

Printed name and title

Attachment "A"

I, Lori Pendergrass, am a Special Agent of the United States Homeland Security Investigations (HSI) and have knowledge of the following facts. The facts related in this attachment do not reflect the totality of information known to me or other agents/officers, merely the amount needed to establish probable cause.

1. On September 15, 2020, Homeland Security Investigations in McAllen, Texas, (HSI McAllen) received a request for investigative assistance from the U.S. Customs and Border Protection (CBP) Office of Field Operations (OFO) at the Hidalgo Port of Entry (POE) in Hidalgo, Texas. CBP Officers (CBPOs) detained Luis Eduardo Mendoza Perez (hereinafter MENDOZA), a citizen of the United States of America, driving a 2006 Pontiac G6, while attempting to depart the U.S. into Mexico with 200 AR-15 style magazines concealed underneath the rear seat and inside the spare tire well area of the vehicle.
2. During primary outbound inspection, CBP Officers (CBPOs) obtained a negative oral declaration for firearms, ammunition and currency over \$10,000.00 from MENDOZA. CBPOs referred MENDOZA and the vehicle to secondary inspection for an intensive examination.
3. A physical search of the vehicle was conducted, and 200 AR-15 style magazines were found concealed underneath the rear seat and inside the spare tire well area of the vehicle.
4. Homeland Security Investigations (HSI), Special Agents (SA) responded to the Hidalgo POE to assist in the investigation. HSI SAs interviewed MENDOZA who stated he was hired by an unknown person in Mexico and was to be paid \$2 USD per magazine to transport the magazines from the United States into Mexico. MENDOZA stated he knew it was illegal to transport the magazines into Mexico and that he did not have a license to export such items to Mexico. MENDOZA admitted he had also smuggled magazines into Mexico on two previous occasions.
5. According to the U.S. Department of Commerce, Bureau of Industry and Security (BIS), the seized magazines are determined to be on the Commerce Control List and regulated for export pursuant to the Export Control Reform Act (ECRA) (Title 50, United States Code, 4819).